

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte ANTHONY MAZZURCO, JOSEPH A. CROSSETT, III  
and MANOUCHEHR DARABPOUR

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Application No. 09/472,534

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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MAILED

JUL 11 2006

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

This application was electronically received at the Board of Patent Appeals and Interferences on July 6, 2006. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below:

On June 7, 2006, the USPTO received a Reply Brief submitted by Appellants. There is no indication on the record that this paper was properly acknowledged by the Examiner.

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37 CFR § 41.43(a)(1) states:

After receipt of a reply brief in compliance with § 41.41, the primary examiner must acknowledge receipt and entry of the reply brief.

Accordingly, it is

**ORDERED** that the application is returned to the Examiner:

- to provide appropriate notification to Appellants of said consideration of the Reply Brief; and
- for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES



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